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9 LAW OFFICES OF BRIAN C. LEIGHTON

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11 Counsel for Plaintiffs DELANO FARMS COMPANY, THE SUSAN NEILL COMPANY, and
12 LUCAS BROS. PARTNERSHIP

13 UNITED STATES DISTRICT COURT
14 EASTERN DISTRICT OF CALIFORNIA

15 DELANO FARMS COMPANY,)

16 a Washington corporation,)

THE SUSAN NEILL COMPANY,)

17 a California corporation,)

LUCAS BROS. PARTNERSHIP,)

18 a California Partnership,)

19 Plaintiffs,)

20 v.)

21 THE CALIFORNIA TABLE)

GRAPE COMMISSION,)

22 Defendant.)

Case No. CV-F-96-6053 OWW DLB

STIPULATED REVISION TO SCHEDULE
AND PROPOSED ORDER

24 WHEREAS on June 22, 2005, the parties to this action submitted a Joint Status Report
25 setting forth a proposed schedule for resumption of the litigation following the Supreme Court's
26 decision in *Johanns v. Livestock Marketing Ass'n*, 125 S. Ct. 2055 (2005);

1 WHEREAS on August 26, 2005, the parties submitted a revised joint scheduling proposal,
2 which was adopted by the Court in an order dated August 31, 2005;

3 WHEREAS the schedule adopted by the Court on August 31, 2005 subsequently has been
4 modified by the Court at the request of the parties;

5 WHEREAS the current schedule calls for the parties to file reply briefs in support of their
6 cross-motions for summary judgment on May 5, 2006;

7 WHEREAS professional commitments of counsel for Defendant have made adherence to the
8 current schedule difficult; and

9 WHEREAS counsel for Plaintiffs has consented to an extension of the deadline for filing
10 reply briefs in support of the parties' cross-motions for summary judgment until May 11, 2006;

11 IT IS HEREBY STIPULATED by the parties to this action, through their respective
12 attorneys of record, that the deadline for filing reply briefs in support of their cross-motions for
13 summary judgment be extended to and including May 11, 2006.

14 Dated: May 3, 2006

15 WILMER CUTLER PICKERING
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20 Brian M. Boynton

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23 Joshua S. Daniels

24 By /s/ Brian M. Boynton
25 Brian M. Boynton

26 Counsel for Defendant THE CALIFORNIA TABLE
27 GRAPE COMMISSION
28

1 Dated: May 3, 2006

LAW OFFICES OF BRIAN C. LEIGHTON

2
3 By /s/ Brian C. Leighton (as authorized 5-3-06)
4 Brian C. Leighton

5 Counsel for Plaintiffs DELANO FARMS COMPANY,
6 THE SUSAN NEILL COMPANY, and LUCAS
7 BROS. PARTNERSHIP

8 **ORDER**

9 IT IS SO ORDERED.

10 Dated: __5/5/06__

/s/Oliver W. Wanger

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12 Oliver W. Wanger
13 United States District Judge
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